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Via Electronic Case Filing System

November 21, 2023

Hon. Loretta A. Preska
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Smart Agunbiade*, 21 Cr. 609 (LAP)

Dear Judge Preska:

On behalf of Mr. Agunbiade, we write to request an adjournment of Mr. Agunbiade's surrender date, which is currently scheduled for November 27, 2023, to December 11, 2023.

As we noted in our letter of October 26, 2023, Mr. Agunbiade is currently involved in a dispute with his former landlord that has impacted his ability to settle his affairs prior to serving time. Specifically, we understand that in connection with a claim for back rent, the landlord has locked Mr. Agunbiade out of a garage where Mr. Agunbiade's car and important personal possessions, including his birth certificate and marriage certificate, are stored. Mr. Agunbiade has filed an action to release the property. A show-cause hearing in the matter was originally scheduled for November 8, but was continued to November 30. We request a surrender date of December 11 to provide time for Mr. Agunbiade to attend that hearing, plus additional time to sell property if it is returned to him or, should judicial proceedings (or settlement discussions) occur after that date, so Mr. Agunbiade can make further efforts to obtain representation in that matter in the event it is likely to continue through his incarceration.

We have conferred with Pretrial Services and the government. Pretrial Services has no objection. The government has advised it is "not inclined to consent." While we have reached out to the government to explore this further, we are mindful of the upcoming holidays and are therefore submitting this request now.

We thank the Court for its attention to this matter.

Mr. Agunbiade's surrender date is adjourned until December 19, 2023. The Court is disinclined to entertain further adjournment requests absent extraordinary cause. Any further requests to adjourn must include information about the efforts Mr. Agunbiade has made to obtain representation who can handle proceedings related to his property action after he begins his incarceration, and whether he has obtained such representation.

Respectfully submitted,

/s/ Arlo Devlin-Brown
Arlo Devlin-Brown



LORETTA A. PRESKA, U.S.D.J.
11/22/23

SO ORDERED.